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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,634	01/03/2006	Yujin Zheng	046124-5355	5872

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EXAMINER	
JONES, JAMES	

ART UNIT	PAPER NUMBER
2873	

MAIL DATE	DELIVERY MODE
11/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/523,634	ZHENG ET AL.	
	Examiner	Art Unit	
	James C. Jones	2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 2* is/are rejected.

7)☒ Claim(s) *3-10* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi et al. (5513201) hereafter '201.

'201 disclose the limitations therein including the following:

Regarding claim 1 '201 discloses an optical condenser device (fig. 56) comprising: a first light source having a first semiconductor laser array with a plurality of active layers aligned in parallel in a first direction (fig. 3, 54, 55, 56, col. 7, lines 54-60 "10" (the light source that delivers the light that will be transmitted by the combiner) as the "first light source" and "12" as the "active layers"), a first collimator lens for collimating a plurality of beams emitted from the plurality of active layers in a plane perpendicular to the first direction (fig. 3, 55, 56, col. 8, lines 4-8 "20" (the collimating lens that collimates the light from the first light source) as the "first collimator lens"), and a first beam converter for receiving the beams collimated by the first collimator lens to rotate the transverse section of each beam by substantially 90.degree (fig. 3, 55, 56, col. 8, lines 13-16 "30" (the beam converter that converts the light from the first light source) as the "first beam converter"); a second light source having a second semiconductor laser array with a plurality of active layers aligned in parallel in a second

direction (fig. 3, 54, 55, 56, col. 7, lines 54-60 "10" (the light source that delivers the light that will be reflected by the combiner) as the "second light source" and "12" as the "active layers"), a second collimator lens for collimating a plurality of beams emitted from the plurality of active layers in a plane perpendicular to the second direction (fig. 3, 55, 56, col. 8, lines 4-8 "20" (the collimating lens that collimates the light from the second light source) as the "second collimator lens"), and a second beam converter for receiving the beams collimated by the second collimator lens to rotate the transverse section of each beam by substantially 90.degree (fig. 3, 55, 56, col. 8, lines 13-16 "30" (the beam converter that converts the light from the second light source) as the "second beam converter"); and a first optical combiner for combining the beams from the first light source with the beams from the second light source (fig. 55, 56, "90" as the "optical combiner"), the first optical combiner having one or more transmitting portions for receiving and transmitting the beams emitted from the first beam converter (fig. 56, col. 28, lines 30-40) and one or more reflecting portions for receiving and reflecting the beams emitted from the second beam converter to combine the beams transmitted through the one or more transmitting portions with the beams reflected by the one or more reflecting portions (fig. 56, col. 28, lines 22-40).

Regarding claim 2 '201 discloses the optical condenser device according to claim 1, wherein the plurality of active layers are aligned at intervals of no more than 500 .mu.m (fig. 3, 5, 56, col. 7, lines 55-60, col. 9, lines 5-10).

Allowable Subject Matter

Claims 3-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: none of the prior art either alone or in combination disclose or teach of the claimed combination of limitations to warrant a rejection under 35 USC 102 or 103. Specifically, in reference to claim 3 (and its dependent), none of the prior art either alone or in combination disclose or teach of the claimed optical condenser specifically including, as the distinguishing features in combination with the other limitations the claimed "wherein the plurality of transmitting portions and the plurality of reflecting portions are both strip-like in form and wherein the first optical combiner is a flat plate having the plurality of transmitting portions and the plurality of reflecting portions positioned alternately".

Regarding claim 5 (and its dependents), none of the prior art either alone or in combination disclose or teach of the claimed optical condenser specifically including, as the distinguishing features in combination with the other limitations the claimed "second optical combiner having one or more transmitting portions for receiving and transmitting the beams combined by the first optical combiner and one or more reflecting portions for receiving and reflecting the beams emitted from the third beam converter to combine the beams transmitted through the one or more transmitting portions and the beams reflected by the one or more reflecting portions".

Regarding claim 7 (and its dependents), none of the prior art either alone or in combination disclose or teach of the claimed optical condenser specifically including, as the distinguishing features in combination with the other limitations the claimed "a second optical combiner having one or more transmitting portions for receiving and transmitting the beams emitted from the third beam converter and one or more reflecting portions for receiving and reflecting the beams combined by the first optical combiner to combine the beams transmitted through the one or more transmitting portions and the beams reflected by the one or more reflecting portions".

Response to Arguments

Applicant's arguments with respect to claims 1-4 and 7-9 have been considered but are moot in view of the new ground(s) of rejection.

I. The applicant has overcome the 35 U.S.C. 112 rejection of claim 7 by thoroughly explaining and clearly pointing out where in the applicant's specification support for the enablement of claim 7 can be found (page 21, lines 15-25 of applicant's instant application).

II. Prior art, Hiiro (5048030) has been overcome due to applicant's highly persuasive arguments.

III. Prior art, Anikitchev (20040252743) is no longer being considered as prior art due to the applicant submitting a verified translation of Japanese Paten application No. 2002-230279 which filed in Japan on August 7, 2002. The effective filing date of

Anikitchev (20040252743) is after the priority date to which the instant application is entitled.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James C. Jones whose telephone number is (571) 270-1278. The examiner can normally be reached on Monday thru Friday, 8 a.m. to 5 p.m. est. time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on (571) 272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James C Jones 11/9/2007

JCJ

JORDAN SCHWARTZ
PRIMARY EXAMINER